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10 | *Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILLIAM J. BERRY, JR.; CYNTHIA FALLS;
SHANE KAUFMANN,

Case No.: 2:17-cv-00019-APG-BNW

Plaintiffs

VS.

DESERT PALACE, INC. d/b/a CAESARS
PALACE: et al..

NOTICE OF APPEAL AND REPRESENTATION STATEMENT

Defendants.

NOTICE OF APPEAL

23 Notice is hereby given that Plaintiff William J. Berry, Jr. (“Plaintiff”),¹ in the above-named
24 case, by and through his attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES and
25 GILBERT & ENGLAND LAW FIRM, hereby appeals to the United States Court of Appeals for the Ninth

²⁸ ¹ Through an order entered on March 15, 2018 [ECF No. 64], plaintiff William Berry's claims were severed from those of the other plaintiffs for purposes of trial under FRCP 42(b).

1 Circuit from an order denying reconsideration entered in this action on September 3, 2020 [ECF No.
2 163], a copy of which is attached hereto as **Exhibit 1**, along with the underlying order associated with
3 that motion for reconsideration, granting summary judgment in favor of Defendant Desert Palace, Inc.
4 d/b/a Caesars Palace, which is attached hereto as **Exhibit 2**, entered in this action on October 18,
5 2019.

6 **REPRESENTATION STATEMENT**

7 Pursuant to Federal Rule of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2(b), Plaintiff
8 hereby identifies all parties to the action appealed from, including the name, firm, address, and
9 telephone number of each party's respective counsel of record:

10 1. Plaintiffs:

11 William J. Berry, Jr.
12 c/o Jason R. Maier, Esq.
13 Danielle J. Barraza, Esq.
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18 and

19 c/o Kathy J. England, Esq.
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24 Cynthia Falls
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9 2. Defendant:

10 Desert Palace, Inc. d/b/a Caesars Palace
11 c/o Patrick H. Hicks, Esq.
12 Ethan D. Thomas, Esq.
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16 and

17 c/o Esther G. Lander, Esq.
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21 DATED this 1st day of October, 2020.

22 Respectfully submitted,

23 **MAIER GUTIERREZ & ASSOCIATES**

24 /s/ Danielle J. Barraza
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 1st day of October, 2020, service of the foregoing **NOTICE OF APPEAL AND REPRESENTATION STATEMENT** was electronically filed with the Clerk of the Court using Court's CM/ECF system, and served to all parties and counsel of record registered to receive CM/ECF notifications:

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/s/ Natalie Vazquez
An employee of MAIER GUTIERREZ & ASSOCIATES